

UNIFORM COLLABORATIVE LAW ACT (EXCERPT)
Act 159 of 2014

691.1345 Coercive or violent relationship.

Sec. 15.

(1) Before a prospective party signs a collaborative law participation agreement, a prospective collaborative lawyer shall make reasonable inquiry whether the prospective party has a history of a coercive or violent relationship with another prospective party. A reasonable inquiry includes the use of the domestic violence screening protocol for mediation provided by the state court administrative office.

(2) Throughout a collaborative law process, a collaborative lawyer reasonably and continuously shall assess whether the party the collaborative lawyer represents has a history of a coercive or violent relationship with another party.

(3) If a collaborative lawyer reasonably believes that the party the lawyer represents or the prospective party who consults the lawyer has a history of a coercive or violent relationship with another party or prospective party, the lawyer may not begin or continue a collaborative law process unless both of the following apply:

(a) The party or the prospective party requests beginning or continuing a process.

(b) The collaborative lawyer reasonably believes that the safety of the party or prospective party can be protected adequately during a process.

History: 2014, Act 159, Eff. Dec. 8, 2014